

Remarks

The undersigned's Remarks are preceded by related comments of the Examiner, presented in small bold-faced type.

Drawings

Replacement sheets showing Figures 2 through 14 have been provided herewith. The replacement drawing sheets (i) correct shading errors noted by the Examiner, and (ii) in Fig. 2, replace the reference numeral "30" with the numeral "29."

Claim Rejections - 35 USC § 102

Claims 1 - 3, 5, 19 - 21, and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 6,268,871 to Rice et al. ...

Rejection under § 102 cannot be supported because Rice does not disclose the elements of the invention as recited by the claims and Rice's disclosure does not enable the inventions of the present application

The Examiner's rejections are respectfully traversed.

Claim 1 recites a method for indicating curve connection continuity information in a graphical design system. The method includes (a) receiving a definition of a first curve and a second curve, the first and second curves substantially meeting at a junction point, (b) displaying the first and second curves on a display device, and (c) determining a G2 through G_n continuity value between the first and second curves at the junction point, $n \geq 3$; and (d) displaying at least one G_m tag indicating the value of G_m continuity, $2 \leq m \leq n$.

As explained below, and contrary to the Examiner's suggestion, Rice does not teach or suggest at least the element of displaying at least one G_m tag indicating the value of G_m continuity of a pair of (already) defined curves meeting at a junction point as further recited by claim 1 and, accordingly, Rice cannot anticipate claim 1.

Furthermore is respectfully submitted that, at best, Rice discloses parts of elements found in the claims of the present application, however, Rice does not disclose a combination of these parts such that they have the functional relationship required by the claims of the present application. Because Rice fails to functionally relate the elements in the manner recited by the

claims of the present application, it cannot be said that Rice discloses the inventions claimed in the present application. In summary, it is respectfully submitted that, in rejecting claim 1, what the examiner has done is to pick-and-choose disclosure from Rice that lacks the functional interrelationship recited by the claims of the present application. This is not appropriate.

It is well settled that the Examiner, in rejecting the claims of the present application, must go further than merely finding individual elements of the claims of the present application in the prior art; the Examiner must also show that the prior art discloses the functional interrelationship of these elements as recited by the claims in a manner that enables the claim under examination. In short, a prior art reference does not support a rejection under § 102 if it merely recites some elements of claim without also providing for the functional interconnection of those elements to enable the claim under examination. See MPEP § 2121.01:

The disclosure in an assertedly anticipating reference must provide an enabling disclosure of the desired subject matter; mere naming or description of the subject matter is insufficient, if it cannot be produced without undue experimentation. *Elan Pharm., Inc. v. Mayo Foundation for Medical and Educational Research*, 346 F.3d 1051, 1054, 68 USPQ2d 1373, 1376 (Fed. Cir. 2003).

As further explained below, enabling disclosure has not been cited against the claims of the present application and Rice does not appear to provide such disclosure.

Rice's disclosure, as understood by the applicant and undersigned, is directed to generation of curves that pass through certain constraint points and adhere to certain user-defined values at those constraint points. To the extent that Rice "displays" Gm continuity values (e.g., by positions of handles 316 and 318), the values "displayed" are set prior to curve generation which is contrary to the elements recited by, e.g., claim 1 which requires that the "defined" curves be received and then, based on those (already) defined curves, the values of Gm are determined and then displayed. Thus, the Examiner's reliance on Rice at col. 12, lines 11-17 as relevant to "displaying a tag to indicate the determined value of continuity" is misplaced. The use of handles 316 and 318 to set continuity values prior to generation of curves is simply not the same as the present application's determination of values of "tags" showing continuity values at junctions of previously-defined curves meeting at those junctions.

Stated another way, Rice's disclosure is understood as being directed to a very different problems from the present invention. Generally speaking, Rice discloses a method of generating a curve obeying geometric continuity conditions. The present invention, on other hand, is directed to displaying the curve (or surface) connection quality to a designer and, in doing so, provides design-time feedback to a designer to aid the designer's understanding of surface conditions. Because Rice is directed to curve generation, rather than a designer-feedback system, there is no need to monitor the value of the geometric continuity and to provide tags indicating continuity values to the designer during the design process. For the foregoing reasons, it is questionable whether one of skill in the art would turn to Rice (a curve generation system) when attempting to solve the problem addressed by the present invention (i.e., real-time analysis and display of surface conditions).

For at least the separate and independent reasons that (i) Rice does not disclose or suggest determining and displaying at least one Gm tag indicating the value of Gm continuity of a pair of (already) defined curves meeting at a junction point, and (ii) the Examiner has not shown that Rice's disclosure would enable the present application's particular method of determining and displaying tags indicating Gm continuity of a pair of curves, the Examiner's rejection of claims under § 102 is not appropriate. It is respectfully requested that the Examiner's rejection be withdrawn.

Claims 2-18 depend, directly or indirectly, on claim 1 and are patentable for at least the reasons stated with respect to claim 1.

Claim 19, like claim 1, also includes limitations making clear that Gm tags are determined based on continuity values at junctions between previously-defined curves meeting at a junction point. Accordingly, claim 19 is patentable for at least the reasons stated with respect to claim 1.

Claims 20-36 depend, directly or indirectly, on claim 19 and are patentable for at least the same reasons stated with respect to claim 19.

Allowable Subject Matter

Claims 37 - 46 are allowed. ...

Claims 4, 6 - 18, 22, and 24 - 36 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form ...

The Examiner is thanked for the indication of allowable subject matter. With respect to claims 4, 6-18, 22 and 24-36, it is respectfully submitted that, as further explained above, the depended-from base claims and intervening claims are allowable and, accordingly, these claims are allowable without further amendment.

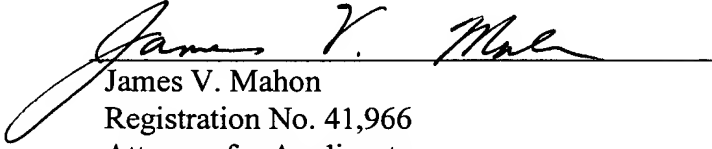
Conclusions

Claims 1-46 are now pending and believed to be in condition for allowance. Applicant respectfully requests that all pending claims be allowed.

Please apply any credits or excess charges to our deposit account number 50-0521.

Respectfully submitted,

Date: May 3, 2005


James V. Mahon
Registration No. 41,966
Attorney for Applicants

MAILING ADDRESS

Clifford Chance US LLP
31 West 52nd Street,
New York, NY 10019-6131

Amendments to the Drawings

The attached sheets of drawings includes changes to Figs. 2 through 14. These drawing sheets replace the original sheets including Figs. 2 through 14.

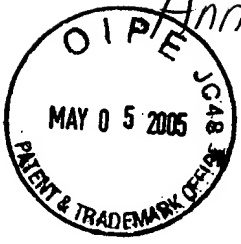
Figs. 2 through 14 have been changed to fix shading and color errors presented in the original drawings.

In Fig. 2, the reference numeral 30 has been replaced by the numeral 29. An amendment providing a corresponding change to the specification has also been made in this Response.

Attachment:

Replacement Sheets showing changes to Figs. 2 through 14.

Annotated Sheet showing changes to only Fig. 2.



Annotated Sheet showing change made

Was "30"

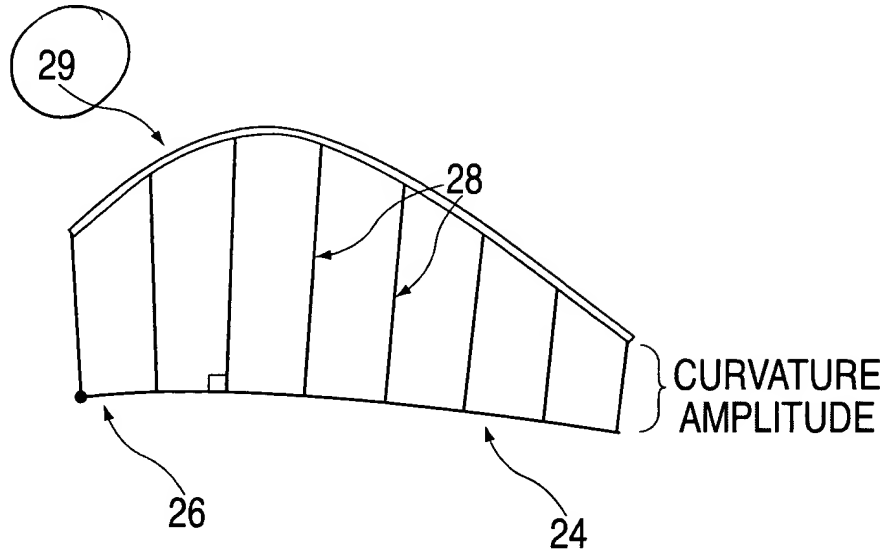


FIG. 2
(PRIOR ART)

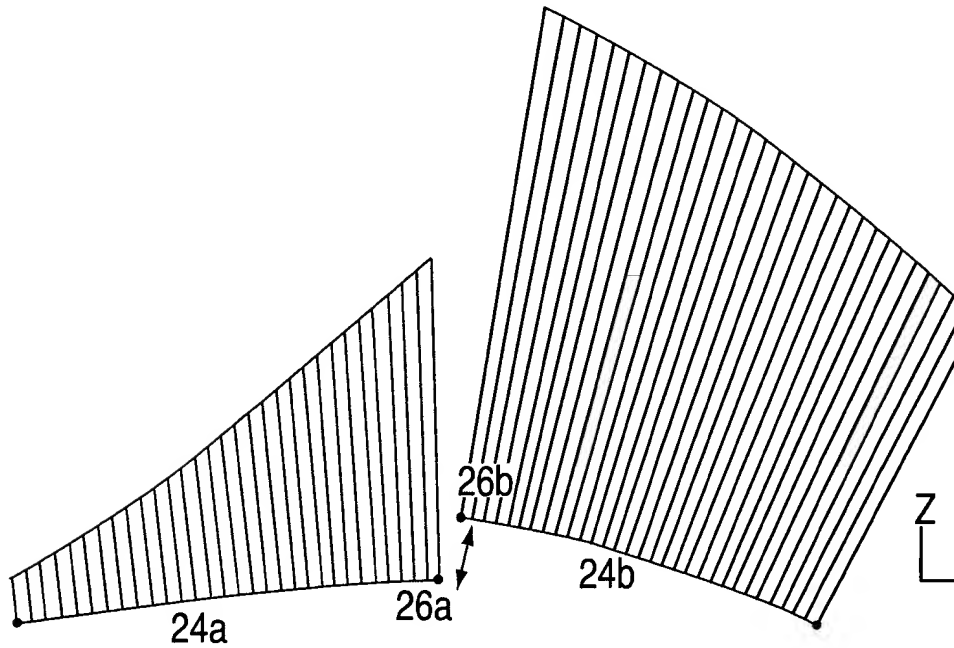


FIG. 3